

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

ROBBY JOE YABUT,

Plaintiff,

v.

STATE OF NEVADA, et al.,

Defendants.

Case No. 2:24-cv-01400-CDS-EJY

ORDER

On July 29, 2024, Plaintiff submitted a Civil Rights Complaint (ECF No. 1-1); however, Plaintiff neither paid the \$405 filing fee for a civil action nor filed an application to proceed *in forma pauperis* (“IFP”), one of which is necessary to commence a civil action. If Plaintiff wants to proceed without prepaying the filing fee he may do so under 28 U.S.C. § 1915(a) and Local Rule LSR 1-2.

To apply for *in forma pauperis* status Plaintiff must submit **three** required documents to the Court. These including: (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, on this Court’s approved form (*i.e.* pages 1 through 3 with the inmate’s two signatures on page 3), (2) a **Financial Certificate** properly signed by both the inmate and a prison or jail official (*i.e.* page 4 of this Court’s approved form), and (3) a copy of the **inmate’s prison or jail trust fund account statement for the previous six-month period**.

Accordingly, IT IS HEREBY ORDERED that no later than **October 7, 2024**, Plaintiff must either pay the \$405 filing fee for a civil action or file with the Court: (1) a complete **Application to Proceed in Forma Pauperis for Inmate** on the Court’s approved form; (2) a **Financial Certificate** properly signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate’s prison or jail trust fund account statement for the previous six-month period**.

IT IS FURTHER ORDERED that the Clerk of the Court **must** send to Plaintiff the application to proceed *in forma pauperis* for inmates along with the information and instructions for filing the same.

1 IT IS FURTHER ORDERED that failure to pay the \$405 filing fee or file a complete
2 application to proceed *in forma pauperis* on or before **October 7, 2024**, will result in a
3 recommendation to dismiss this action **without prejudice**. A dismissal without prejudice allows
4 Plaintiff to file his case with the Court, under a new case number, when he is able to comply with
5 LSR 2-1 and file a complete application to proceed *in forma pauperis* or pay the required filing fee.

6 IT IS FURTHER ORDERED that the Court will retain Plaintiff's Complaint (ECF No. 1-1)
7 but will not file it at this time.

8 Dated this 6th day of August, 2024.

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11 ELAYNA J. YOUCHAK
12 UNITED STATES MAGISTRATE JUDGE
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